

Seed<sup>IP</sup>

January 20, 2005

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## Facsimile Transmission

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**To:** Pre-Grant Publication Division**Fax No.:** (703) 305-8568**Phone No.:**

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**Re:** Petition for Express Abandonment to Avoid Publication

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**Your Ref.:** Application No. 10/763,806

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**Seed IP Ref.:** 960068.401C1

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**No. of Pages:** 3 (including this page)

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☐ Urgent☐ For Review☒ Please Confirm  
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**Comments:**

Enclosures:

Petition Fee Transmittal (+ copy)  
Petition for Express Abandonment to Avoid Publication

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PTO/SB/24A (09-04)

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**PETITION FOR EXPRESS  
ABANDONMENT TO AVOID  
PUBLICATION UNDER 37 CFR 1.138(c)**

Fax the petition directly to the  
Pre-Grant Publication Division at (703) 305-8568  
Or Mail the petition to:  
**Mail Stop Express Abandonment**  
Commissioner for Patents  
P.O. Box 1450, Alexandria, VA 22313-1450

Application Number	10/763,806
Filing Date	January 22, 2004
First Named Inventor	Ronald L. Terrel
Art Unit	1754
Examiner Name	
Attorney Docket Number	960068.401C1

**Petition for Express Abandonment to Avoid Publication under 37 CFR 1.138(c)**

I hereby petition to expressly abandon the above-identified application to avoid publication.

**Petition Fee** - must be filed with petition to avoid delays in recognizing the petition.

- a. ☒ The Director is hereby authorized to charge the petition fee under 37 CFR 1.17(h) to Deposit Account No. 19-1090. I have enclosed a duplicate copy of this sheet.
- b. ☐ Check in the amount of \$\_\_\_ is enclosed.
- c. ☐ Payment by credit card (Form PTO-2038 is enclosed).

**NOTE:** A paper requesting express abandonment of an application is not effective unless and until an appropriate USPTO official recognizes and acts on the paper. See the Manual of Patent Examining Procedure (MPEP) section 711.01. In addition, the paper will not stop publication of the application unless a petition under 37 CFR 1.138(c) is recognized and acted on by the Pre-Grant Publication Division in sufficient time to avoid publication (e.g., more than four (4) weeks prior to the projected publication date).

OK FOR ABANDONMENT

- I am the: ☐ applicant.
- ☐ assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)
- ☒ attorney or agent of record. Registration No. 43,498

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PG PUB DIVISION

INITIALS BID

Effective Date January 21, 2005

January 20, 2005 (USPTO Holiday)

Date

(206) 622-4900

01/21/2005 RECEIVED 06080002 191090

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Note: Signatures of all the inventors or assignees of record of the entire interest or their representatives(s) are required.  
Submit multiple forms if more than one signature is required, see below.

☐ Total of \_\_\_ forms are submitted.

This collection of information is required by 37 CFR 1.38(c). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR OTHER INFORMATION TO THIS ADDRESS. SEND TO: Mail Stop Express Abandonment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

USPTO-PG PUBS

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PTO/SB/17p (11-04)

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<b>PETITION FEE</b> <b>Under 37 CFR 1.17(f), (g) &amp; (h)</b> <b>TRANSMITTAL</b> (Fees are subject to annual revision)	Application Number	10/763,806	
	Filing Date	January 22, 2004	
	First Named Inventor	Ronald L. Terrel	
	Art Unit	1754	
	Examiner Name		
Send completed form to: Commissioner for Patents P.O. Box 1450, Alexandria, VA 22313-1450		Attorney Docket Number	960068.401C1

Enclosed is a petition filed under 37 CFR 1.117(h) that requires a processing fee (37 CFR 1.17(f), (g), or (h)). Payment of \$130 is enclosed.

This form should be included with the above-mentioned petition and faxed or mailed to the Office using the appropriate Mail Stop (e.g., Mail Stop Petition), if applicable. For transmittal of processing fees under 37 CFR 1.17(l), see form PTO/SB/17i.

**Payment of Fees** (small entity amounts are NOT available for the petition fees)

- ☒ The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 19-1090:
- ☒ petition fee under 37 CFR 1.17(f), (g) or (h) ☒ any deficiency of fees and credit of any overpayments.  
 Enclose a duplicate copy of this form for fee processing.
- ☐ Check in the amount of \$\_\_\_\_\_ is enclosed.
- ☐ Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

**Petition Fees under 37 CFR 1.17(f): Fee \$400 Fee Code 1462**

For petitions filed under:

- § 1.53(e) - to accord a filing date.
- § 1.57(a) - to accord a filing date.
- § 1.182 - for decision on a question not specifically provided for.
- § 1.183 - to suspend the rules.
- § 1.378(e) - for reconsideration of decision on petition refusing to accept delayed payment of maintenance fee in an expired patent.
- § 1.741(b) - to accord a filing date to an application under § 1.740 for extension of a patent term.

**Petition Fees under 37 CFR 1.17(g): Fee \$200 Fee Code 1463**

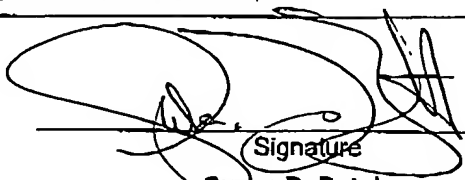
For petitions filed under:

- § 1.12 - for access to an assignment record.
- § 1.14 - for access to an application.
- § 1.47 - for filing by other than all the inventors or a person not the inventor.
- § 1.59 - for expungement of information.
- § 1.103(a) - to suspend action in an application.
- § 1.136(b) - for review of a request for extension of time when the provisions of section 1.135(a) are not available.
- § 1.295 - for review of refusal to publish a statutory invention registration.
- § 1.298 - to withdraw a request for publication of a statutory invention registration filed on or after the date the notice of intent to publish issued.
- § 1.377 - for review of decision refusing to accept and record payment of a maintenance fee filed prior to expiration of a patent.
- § 1.550(c) - for patent owner requests for extension of time in *ex parte* reexamination proceedings.
- § 1.956 - for patent owner requests for extension of time in *inter partes* reexamination proceedings.
- § 5.12 - for expedited handling of a foreign filing license.
- § 5.15 - for changing the scope of a license.
- § 5.25 - for retroactive license.

**Petition Fees under 37 CFR 1.17(h): Fee \$130 Fee Code 1464**

For petitions filed under:

- § 1.19(g) - to request documents in a form other than that provided in this part.
- § 1.84 - for accepting color drawings or photographs.
- § 1.91 - for entry of a model or exhibit.
- § 1.102(d) - to make an application special.
- § 1.138(c) - to expressly abandon an application to avoid publication.
- § 1.313 - to withdraw an application from issue.
- § 1.314 - to defer issuance of a patent.

  
 Signature  
 Susan D. Betcher  
 Typed or printed name

Effective Date January 21, 2005  
 January 20, 2005 (USPTO Holiday)  
 Date  
 43,498  
 Registration No., if applicable

This collection of information is required by 37 CFR 1.17. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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